IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

MFA.No. 1432 of 2001()

WCC.224/1996 OF THE COMMISSIONER FOR WORKMEN'S COMPENSATION AND DEPUTY LABOUR COMMISSIONER, KANNUR
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APPELLANTS/APPLICANTS:
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1. DANIEL, MAMPILLIL HOUSE,
MOONADY P.O., GUDALUR, TAMIL NADU.

2. SOSAMMA, W/O.DANIEL, -DO- M -DO-

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS/RESPONDENTS:
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1. M.D.BABY, MAMPILLY HOUSE, NAMBIARKUNNU P.O.,
CHEERAL, SULTHAN BATHERY, WAYANAD.

2. THE NEW INDIA ASSURANCE CO. LTD.,
M.G.T. BUILDING, KALPATTA NORTH, WAYANAD.

R2 BY ADV. SRI.KKM.SHERIF
SRI.A.A.ZIYAD RAHMAN

THIS MISC. FIRST APPEAL HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & ANTONY DOMINIC,JJ.

M.F.A.NO.1432 OF 2001

Dated this the 12th day of March, 2007

JUDGMENT

Raman, J.

This appeal arises out of the judgment in W.C.Case.NO. 224/96 rendered by the Commissioner for Worksmen's Compensation and Deputy Labour Commissioner, Kannur. The only ground urged in this appeal is regarding the interest payable on the amount awarded by the Commissioner. It is settled law that on the compensation awarded statutory interest is also liable to be awarded. There is an omission in this regard. However, according to the learned counsel for the respondents, the amount awarded has already been deposited in the Court of the Workmen's Compensation Commissioner on 29/9/1999. Therefore, considering the facts and circumstances of the case, we direct that the on the amount awarded the interest till 29/9/1999 shall also be deposited by the respondents within one month from today, in which case there shall not be any further liability. The awarded passed by the Workmen's Compensation Commissioner will stand modified as above.

P.R.RAMAN,
Judge.

ANTONY DOMINIC,
Judge.

kcv.